

REGULAR SESSION-BOARD OF QUAY COUNTY COMMISSIONERS

February 9, 2009

9:00 a.m.

BE IT REMEMBERED THE HONORABLE BOARD OF QUAY COUNTY COMMISSIONERS met in regular session the 9th day of February, 2009 at 9:00 a.m. in the Commissioners' Room of the Quay County Courthouse, Tucumcari, New Mexico for the purpose of taking care of any business that may come before them.

PRESENT & PRESIDING:

Franklin McCasland, Chairman
Robert Lopez, Member
Bill Curry, Member
Richard Primrose, County Manager
Ellen White, County Clerk

OTHERS PRESENT:

Larry Moore, Quay County Road Superintendent
Janie Murray, Quay County Assessor
Donald Adams, Quay County Fire Marshall
Tony Elebario, Quay County Detention Center

The meeting was called to order by Chairman Franklin McCasland. Janie Murray led the Pledge of Allegiance.

A MOTION was made by Robert Lopez, SECONDED by Bill Curry to approve the minutes from the January 23, 2009 regular meeting. MOTION carried with all members voting "aye".

A MOTION was made by Bill Curry, SECONDED by Robert Lopez to approve the agenda as presented. MOTION carried with all members voting "aye".

PUBLIC COMMENTS: NONE

A MOTION was made by Bill Curry, SECONDED by Robert Lopez to Table Item No. 1 on the Agenda due to the absence of Quay County Sheriff, Joe Schallert. MOTION carried with all members voting "aye".

Tony Elebario, Quay County Detention Center Administrator presented a Joint Powers Agreement between Quay County and Mora County for housing of inmates at the Quay County Detention Center. Commissioner Curry voiced his concern over the medical expenses related to prisoners from other Counties and the lack of explanation in the contract as to who is responsible. He requested that future Agreements be more specific. A MOTION was made by Robert Lopez, SECONDED by Bill Curry to approve said Joint Powers Agreement. MOTION carried with all members voting "aye". A copy of said Agreement is attached and made a part of these minutes.

Larry Cooksey, Quay County Under-Sheriff joined the meeting. Time noted 9:05 a.m.

Elebario updated the Commissioners regarding the improvements to the Detention Center currently under contract with Sierra Detention Systems. Elebario reported the technicians came and inspected the Detention Center prior to the new security and locking devices being installed. It was reported the Door Positioning Switches needed adjusting. When those adjustments are made, the new equipment can be installed.

Elebario informed the Board he was sending three employees to the Detention Executive Leadership Seminar in Santa Fe, February 23-25, 2009. T.J. Rich, Johnny Reid and Chris Birch will be attending the training.

A MOTION was made by Bill Curry, SECONDED by Robert Lopez to return to Item No.1 of the Agenda tabled earlier in the meeting. MOTION carried with all members voting "aye".

Larry Cooksey, Quay County Under-Sheriff presented the Sheriff's Activity Report for the time period of December 5, 2008 through January 31, 2009. A copy of said Report is attached and made a part of these minutes. Cooksey informed the Commissioners that Ben Gates has been hired as a deputy and will be working the San Jon area.

Donald Adams, Quay County Fire Marshall gave the following report:

1. Presented the 2009 Fire Protection Grant Application for approval. A MOTION was made by Robert Lopez, SECONDED by Bill Curry to approve Application. MOTION carried with all members voting "aye".
2. The State Fire Marshall recently inspected all the Fire Departments in the County. The inspections are rated with status of excellent, good, fair or a poor rating. Quay County received a rating of good. Adams said he was pleased with the rating. The following is a list of recommendations received from the visit:
 - a. Quay County should revise the Subdivision Ordinance or develop a new Ordinance to include information regarding the roads, water availability, size of structures and the risk of bringing the ISO of the respective fire districts down which would lower their funding. Chairman McCasland instructed Adams to get copies from other Counties that have established this type of Ordinance for review.
 - b. Develop county wide by-laws that need to be followed by each fire district not limited to but including the chain of command for each department.
 - c. Donated vehicles need to be inspected and approved for donation prior to receiving the equipment in order to prevent obtaining a vehicle that does not meet specifications.
 - d. The State Fire Marshall and his second in command will be holding an answer and questions session at the Tucumcari Fire Department on March 4, 2009 at 6:00 p.m. Topics of interest will include regulations for purchases.
3. Adams reported that San Jon recently had an annexation that has affected the fire district boundary between the Village of San Jon and the Porter Fire District. He asked what steps need to take place to change the maps. County Clerk, Ellen White stated she would locate the annexation paperwork and make the necessary changes.
4. An update regarding the Community Wildfire Protection Plan included information regarding signage that will be purchased and placed in various locations as travelers and

citizens enter the County indicating the level of fire danger. The signs will cost \$700.00-\$750.00. Funding is available through the State and requires a 10% match by the County that can be either in-kind or cash.

Chairman McCasland asked Adams to contact Senator Harden and Representative Roch regarding pertinent information they are requesting regarding the Firefighters PERA legislation.

Janie Murray, Quay County Assessor and New Mexico Association of Counties Board Member briefed the Commissioners regarding the Board Meeting she attended in Santa Fe during the Mid-Winter Conference. Murray provided each Commissioner with all hand outs and literature distributed at the meeting. The next meeting will be held February 21, 2009 in Santa Fe.

Chairman McCasland requested a ten minute recess. Time noted 9:55 a.m.

Return to regular session. Time noted 10:05 a.m.

A MOTION was made by Bill Curry, SECONDED by Robert Lopez to Table Item No. 5 on the Agenda due to the absence of ASAP Coordinator Susan Lease. MOTION carried with all members voting "aye".

Larry Moore, Quay County Road Superintendent gave the following report:

1. Provided information from a recently attended RPO meeting regarding the Stimulus Project stating funding would only be considered for shovel ready projects. The "Old Route 66" bridge and the "Madrid" bridge have been included on the projects being submitted by the State.
2. Crews have started cutting trees back and getting things ready to begin the new projects on the plan for 2009 in the Nara Visa area.
3. The Reclaimer should be in Albuquerque sooner than the original delivery date and could be delivered to Quay County as early as February 18, 2009.
4. Letters of Intent for the 2009-2010 projects are due by March 15, 2009.
5. Moore will attend a workshop on February 10th and 11th in Ruidoso, New Mexico with Western Emulsions.

County Manager, Richard Primrose presented the following report:

1. The Transportation Commission will meet in Santa Rosa on February 26, 2009 and the Commissioners along with Primrose have been invited to attend as they will be using Quay County as a model project to emphasize the partnership between State, County and City to get Coop projects completed effectively. Chairman McCasland asked Primrose to make the necessary advertisements so all Commissioners can attend.
2. Presented Fiscal Year 2008-2009 Resolution #34; Authorization of Budgetary Increase for the CDBG Grant (655-12). A MOTION was made by Bill Curry, SECONDED by Robert Lopez to approve said Resolution as presented. MOTION carried with all members voting "aye". A copy of said Resolution is attached and made a part of these minutes.
3. Provided a Memo from Tom Dominguez of the Quay Extension Agriculture Advisory Boards annual meeting. Included was a list of their priorities for the up-coming year.

4. Presented the Tucumcari Public Library Board Agenda for their January 16, 2009 meeting and a copy of their activity reports.
5. Received a letter from the Regional Substance Abuse Treatment Initiative regarding the Grand Opening for an in-patient treatment facility in Ft. Sumner, New Mexico. Information will be forthcoming regarding the date and time.
6. Received a letter from the Eastern Area Workforce Development Board regarding a meeting to be held in Santa Fe on February 24, 2009 at 1:00 p.m. at the Hotel Santa Fe.
7. Recently attended the NMAC Mid-Winter Conference held in Santa Fe. Also attended the ACI Reception, Business Day and Quay Day.
8. Met with Sara Cobb from Senator Udall's Office regarding the Stimulus Package and the process for receiving funds. She will keep Primrose informed so the County can make requests for funding.
9. Tom Dominguez will present an update regarding the Mexican Gray Wolf at the February 23, 2009 commission meeting.

Commissioner Curry asked what the status of the current audit being conducted by Kelly McFarland, CPA was. Primrose stated McFarland has stated numerous times it is in the final stages and will be presented soon. Primrose will be checking with him later this week.

Ellen White, Quay County Clerk, requested approval of the 2009 Board of Registration for the purpose of assisting the County Clerk with removal of voters for the upcoming purge. A MOTION was made by Bill Curry, SECONDED by Robert Lopez to approve the appointment. MOTION carried with all members voting "aye". The members include Ann Balch, Republican, Glenda Reid, Democrat and Nelda Burson, Democrat.

White also provided the Commissioners with a list of the Quay County businesses who have purchased their 2009 Occupation Licenses. Also presented were those businesses that purchased licenses last year and have not done so this year. If the businesses that have not purchased licenses by mid-March from the County Clerk, the names of those businesses will be given to the District Attorney for legal action.

A MOTION was made by Robert Lopez, SECONDED by Bill Curry, to go into Executive Session pursuant to the Open Meetings Act 10-15-1(H)2&7 NMSA to discuss pending litigation regarding Lee Stone vs. Board of County Commissioners. MOTION carried with Lopez voting "aye", Curry voting "aye" and McCasland voting "aye". Time noted 10:45 a.m.

-----EXECUTIVE SESSION-----

A MOTION was made by Robert Lopez, SECONDED by Bill Curry that pending or threatened litigation was discussed during Executive Session and no action was taken. MOTION carried with Lopez voting "aye", Curry voting "aye" and McCasland voting "aye".

Return to regular session. Time noted 11:50 a.m.

A MOTION was made by Bill Curry, SECONDED by Robert Lopez to return to Item No.5 of the Agenda tabled earlier in the meeting. MOTION carried with all members voting "aye".

Primrose presented the Quay County ASAP Coalition Proclamation, "Through With Chew Week" and the "Great American Spit Out" to be proclaimed the week of February 15 through

February 21, 2009. A MOTION was made by Robert Lopez, SECONDED by Bill Curry to accept said Proclamation. MOTION carried with all members voting "aye". A copy of said Proclamation is attached and made a part of these minutes.

UNDER OTHER BUSINESS: NONE

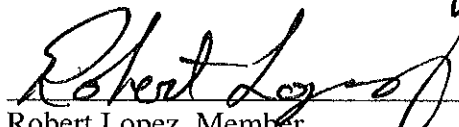
CHECKS WERE REVIEWED. A MOTION was made by Robert Lopez, SECONDED by Bill Curry to approve the expenditures as presented. MOTION carried with all members voting "aye". A copy of the expenditure report is attached and made a part of these minutes.

There being no further business, a MOTION was made by Robert Lopez, SECONDED by Bill Curry to adjourn the regular meeting of the Board of Quay County Commissioners until the next regular meeting set for February 23, 2009, unless sooner called. MOTION carried with all members voting "aye". Time noted 12:05 p.m.

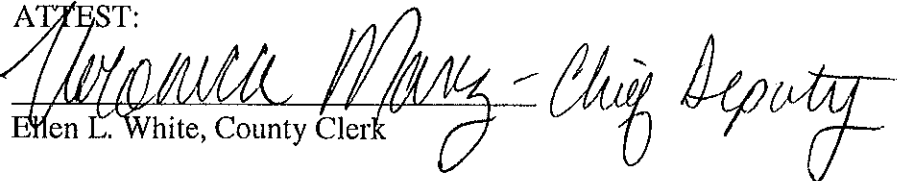
BOARD OF QUAY COUNTY COMMISSIONERS


Franklin D. McCasland, Chairman


Bill Curry, Member


Robert Lopez, Member

ATTEST:


Ellen L. White, County Clerk